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Todd - Hon. W. J. Hubbard - 1864

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FROM

Rev. Alex. MacKenzie.....

Todd, J. C.

IN MEMORIAM.

HON. WILLIAM J. HUBBARD.

DIED NOVEMBER 14, 1864.

37 John C. Todd



SKETCH
OF THE
LIFE AND CHARACTER
OF
HON. WILLIAM J. HUBBARD,

DELIVERED AT HIS FUNERAL

BY REV. JOHN E. TODD.

TOGETHER WITH

PROCEEDINGS OF THE SUFFOLK BAR, AND REMARKS
OF CHIEF JUSTICE BIGELOW, AND
HENRY W. PAINE, ESQ.

PRINTED BY REQUEST OF THE FAMILY AND FRIENDS OF THE DECEASED.

BOSTON.
1864.

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Rev. Alex. Mc Kenzie,
of Cambridge.
(Feb. 26. 1859.)

THERE is nothing more eloquent than the first silence of lips that are to speak no more ; especially when it appeals to such a multitude of full and aching hearts as this. I feel a desire to say nothing here to-day, but to listen with you in speechless sorrow, to the voice of God, and the voice of the dead. If I endeavor to overcome it, it is not with the intention of pronouncing any studied eulogy,—for which there is no call,—but that I may for all of us give simple utterance to those feelings of respect and affection with which all our hearts are overflowing, and in which, as in precious spices, we wish to wrap this form before we lay it away forever.

The life which has just closed was not particularly eventful, or marked by striking experiences ; perhaps it was not on that account less useful, or less happy.

Mr. HUBBARD was born in New York City, on the 3d of July, 1802, and was, consequently, at his decease a little more than sixty-two years of age. He was one of a large family of children, of whom

several brothers and sisters still survive, one sister having been taken away but a few months since. His father was a merchant of considerable enterprise and note,—a religious man, and remarkably earnest and active in every Christian work, during his comparatively brief career. His mother, at the advanced age of eighty-six, and in great feebleness, still lives in Thompson, Ct., to mourn the loss of another child.

Mr. Hubbard's boyhood was spent in his native city. At a very early age he was sent to Yale College, where he graduated with honor in 1820. He came almost immediately to Boston, and has remained here ever since. He found his first home in the family of his uncle, the late Judge Hubbard, in whose office also he read law. He was promptly admitted to the bar, and from that time to this has continued in the active and successful practice of his profession.

Shortly after his marriage to a daughter of the well known and beloved Dr. Chaplin, he took up his residence in Cambridgeport, where he remained for some time after he was left with two motherless children. About the time of his forming a connection with her who to-day follows nearest his coffin, he again became a citizen of Boston, where he has reared the band of daughters, who, with but one absence, now cluster around a father's grave.

Mr. Hubbard's character was one of those which are not always fully appreciated. The first impression received by a stranger, in an interview with

him, was one of extreme dignity and courtesy,—a dignity and courtesy which were never forgotten or laid aside. I doubt whether in any debate, Mr. Hubbard has ever been heard using an uncourteous or unguarded expression; and he was as careful and urbane in the more unrestrained intercourse of home, as in his public demeanor. And yet, a sudden flush, when rudely assailed, indicated that his calmness proceeded from no lack of naturally quick and impulsive feelings, but was the fruit of an admirable vigilant and vigorous self-control.

This dignity of manner, together with a certain difficulty of adapting himself to others, created not unfrequently a prejudice against him, as a man of coldness and haughtiness of feeling, a prejudice which a closer acquaintance never failed to dissipate. His was a heart of unbounded charity, of tender sympathies, of the utmost consideration for others, of the greatest steadiness to friendships, and of lenient judgments; and though a man of uncommon decision and firmness, a little gentleness could instruct, guide, and overrule him like a little child. His peculiarities of manner and his pressure of duties interfered with the full manifestation of his character. He has often spoken to me with the utmost kindness and sympathy, of many who perhaps are to this day ignorant that he ever expended upon them a thought.

With the instincts of a good and noble heart, he was always fond of children. He never came to my house without petting my little child; and there

are few who will miss him more than the little children in many homes, who have been accustomed to climb upon his knee.

To a mind of natural legal accuracy and caution, were united in Mr. Hubbard great decision of character and readiness to meet responsibilities, and the nicest instincts of honor and integrity. Such qualities enabled him to command the confidence of all who knew him. From the very opening of his career he was sought, for positions of trust. Every school and academy near him counted him among its trustees; almost every benevolent society enlisted his active co-operation. In 1834 he was sent to the Legislature by his fellow-citizens, and has since served repeatedly in both branches. In 1853 he was sent to the Convention for revising the State Constitution. He was a Master in Chancery, and was for many years extensively employed by the Bar and the Courts as a Referee, and, I believe, has ever commanded the entire confidence of his whole Profession. Of late years he has been much occupied with the management of testaments, and business of the like confidential nature, such as the eminently trust-worthy and trusted can alone command. For nearly twenty years he was a leading member and chairman of the Prudential Committee of the American Board of Commissioners for Foreign Missions. To the last he presided over the Corporation which has the care of the Academy and Theological Seminary at Andover. For more than twenty years he has been an officer of this

church, and has discharged the duties of a deacon with rare meekness, fidelity, and grace. For every important Ecclesiastical Council he was in demand. In the choice of its pastors, and in the management of every difficulty, this church has relied very much upon his judgment. It was he who advised the call, and was the first to take the hand of each successive pastor. It was he to whom they most naturally resorted for counsel, consideration, and sympathy. Nor did he ever fail any of them. He was one on whom every one leaned, and securely.

It is of his religious life that I love best to speak. He was brought up in the Presbyterian church, and to the last maintained an attachment to it, and I think, a preference for it. He took a constant and sincere interest in the little Presbyterian enterprise among us. But at his first profession of religion, soon after coming to this city, he joined Park Street Church, then, I believe, under the care of Rev. Mr. Dwight. On removing to Cambridgeport he attached himself to the church there, and has always retained a strong affection for it. It was at about the time of his return to Boston, that this church was organized. He became one of its original members, and through all its varied experiences has never ceased to feel a lively interest in its welfare, manifested by the most affectionate, unsparing and unselfish devotion.

A man of great reserve, of his inner, spiritual life he was accustomed to say little even to his nearest friends. Yet who that has ever listened

to him in the meeting for social prayer but has felt that he was baptized with a spirit not of this world. It was my privilege to have many conversations with him in which he partially unveiled a heart filled with Christian confidence and peace. Perhaps the most memorable was the last.

His sickness was occasioned by an injury to the knee, received about four weeks since in the city of New York. From the first he was more or less delirious, and at the last his whole nervous system seemed to be shattered. On Thursday morning last I called at his door, but was told as before, that his mind was too excited and wandering to render an interview with him advisable. In the afternoon of the same day, however, I was sent for. He had recovered his reason, and had expressed a desire to see me. As I bent over him he recognized and greeted me promptly. He was perfectly aware of his condition, but betrayed no distrust of the grounds upon which he had for years been building his hope. To my inquiries whether his heart was in peace, he returned answers not of excitement and triumph, but of settled confidence. "Can you trust yourself to the Saviour?" "Oh yes, there is no other." "Can you rest on his promises?" "Oh yes, they are all Yea and Amen." His broken sentences spoke of a profound consciousness of the sinfulness of his soul, but a profounder confidence in Christ's grace. He followed a short prayer without difficulty, and added an emphatic "Amen." He spoke to me most kindly of

assistance which I had been the humble means of rendering him in his attempts to live nearer Christ. It seemed to afford him comfort to have me at his side; and when I left him for a little while, he asked repeatedly for his "minister," his "son." Often during the night with folded hands he engaged in prayer, snatches of which could alone be distinguished. It was affecting to hear him, from time to time, tremulously murmuring a bar or two of a familiar tune. When his thoughts began after a time again to wander, the singing of familiar voices though choked with tears, seemed to soothe and restore him. I asked him for a word for his absent daughter; but I could not distinguish his answer, except that it ended in a prayer. At one time we thought that the body was on the point of letting the struggling spirit go, for the day was breaking: but it wrestled still. To the surprise of all, he seemed to rally, and distinguished and embraced each of his family. This, however, was but the last flaring up of the flame of life before its final extinguishment. From this time he hardly possessed collected thought, but sank into deeper and deeper languor. Once or twice after his many days and nights of nervous wakefulness, he exclaimed, "I am tired; let me rest:" and at length, following into eternity on the heels of the Sabbath, he entered into that rest which remaineth for the people of God.

He will be missed and mourned by many, besides the family of which he was the head and stay. In

many official circles, and spheres of public duty, in many associations and gatherings of a social and private character, in the community in which he has been so long active, in the Profession of which he was so valued a member, and in which he leaves so many personal friends, in the church in which he has been a leader and prince, among an extensive acquaintance through the land, in many homes and by many hearts, he will be missed and mourned as few are. If it were pardonable to obtrude upon so general and public a sorrow the mention of a particular and private grief, I would add that I feel that I have lost one of my best friends. His constant attachment, his unwearied kindness, his considerate allowance, his unobtrusive counsel, his faithful friendship, I can never forget.

There are a few words of deep and pointed significance due at this time to those, and especially to the many of Mr. Hubbard's Profession, who are gathered here. Perhaps they may be kindly received as coming not so much from me, as from the man their equal and acquaintance, who speaks to you to-day with the privileged authority and eloquence of death.

It must be pleasant for any man to review a life-work well accomplished. It must be particularly pleasant for the true lawyer, as he draws near the end, to remember the rights that he has helped to maintain, the wrongs that he has helped to redress, the principles which he has helped to establish, the posts of responsibility which he has well filled,

the esteem and confidence which he has won, the bright record of a useful and honorable life; but oh, when it shall be *our* turn to meet the inevitable hour, is there *any* thing which can afford such comfort and such confidence, such peace and rest,—is there any thing which we shall desire so much, or mourn so bitterly,—is there in the whole range of literary, political, or professional successes, any thing so beautiful, so desirable, so essential, as that simple self-renouncing and childishly-confiding faith wrought and perfected by years of effort and trial, which could enable our friend to sing in the very grasp of death,

“Jesus, lover of my soul,
Let me to thy bosom fly.”
“Other refuge have I none,
Hangs my helpless soul on Thee,”

and to lay his weary head on the bosom of an unseen but mighty Saviour, “and breathe his life out sweetly there.”

There are others here to whom I should speak, but theirs is a sacred grief, with which a stranger may not intermeddle. If I were to *attempt* to comfort you, my friends, it would only be to whisper those consolations and hopes which have already fallen with diviner emphasis and sweetness from the Saviour's lips.

There is a hymn which was a favorite with your husband and father. He was impressed with it as it was repeated by his former partner, Mr. Watts, when *he*, himself an earnest Christian, lay a-dying.

I have often heard him quote it; more than once in our meetings for prayer. Perhaps offered at the close of these remarks, it may not only prove to you an overflowing cup of richest consolations, but come to you as a last message of comfort from his own lips, to be remembered and cherished through all the experiences of the darkened and uncertain future.

How firm a foundation, ye saints of the Lord,
Is laid for your faith in His excellent word!
What more can He say, than to you He hath said,
Who unto the Saviour for refuge have fled?

Fear not, I am with thee; oh, be not dismayed;
For I am thy God, and will still give thee aid.
I'll strengthen thee, help thee, and cause thee to stand,
Upheld by my righteous, omnipotent hand.

When through the deep waters I call thee to go,
The rivers of sorrow shall not overflow;
For I will be with thee thy troubles to bless,
And sanctify to thee thy deepest distress.

When through fiery trials thy pathway shall lie,
My grace all-sufficient shall be thy supply;
The flame shall not hurt thee; I only design
Thy dross to consume, and thy gold to refine.

E'en down to old age all my people shall prove
My sovereign, eternal, unchangeable love;
And e'en when gray hairs shall their temples adorn,
Like lambs they shall still in my bosom be borne.

The soul that on Jesus hath leaned for repose,
I will not, I will not desert to its foes.
That soul though all hell should endeavor to shake,
I'll never, no never, no never forsake.

REMARKS OF HENRY W. PAINE, ESQ., ON PRE-
SENTING THE RESOLUTIONS OF THE
SUFFOLK BAR.

May it please your Honor:

Since the last adjournment of this Court, WILLIAM J. HUBBARD, one of the most respected members of our profession has deceased.

At a meeting of the Bar, Resolutions expressive of the estimation in which his character was held by his associates, were unanimously adopted. These Resolutions I was directed to present to your Honor, and in behalf of the Bar, to request that they may be entered on the Records of the Court.

Mr. Hubbard was a native of New York—a graduate of Yale College.

He prepared himself for the practice of his profession in the office of his uncle, the late Samuel Hubbard, then a leader of the Bar, and subsequently an ornament of the Bench. He was for many years a partner of the late Francis O. Watts, a man, whom

None knew but to love,
None named but to praise.

Since my acquaintance with Mr. Hubbard commenced, he has seemed inclined to avoid the contests of the Court room—to prefer the less conspicuous but quite as useful labors of the office.

He was an accurate lawyer ; a wise and safe counsellor. He enjoyed the entire confidence of his clients, and he deserved it. He spared no pains to be right.

He held for many years the office of Master in Chancery for this County, and you know, Sir, how ably and faithfully he discharged the often arduous and always responsible duties of this office.

With your Honor's permission, I will now read the Resolutions.

RESOLUTIONS OF THE SUFFOLK BAR.

Resolved, That the members of this Bar have heard, with deep sorrow, of the death of their late associate, WILLIAM J. HUBBARD.

He had passed the greater part of a life of three score years, in the practice of his profession at this Bar.

His high sense of professional honor, his strict integrity, and his accurate legal learning, commanded the confidence and respect of his associates.

As Master in Chancery, he has by his patient hearings, and carefully prepared reports, rendered valuable service to the suitors.

As an officer of the religious and literary institutions of our State, and as a member of the Legislature, he has rendered valuable service to the public.

Resolved, That these Resolutions be presented to the Supreme Judicial Court, when next in session for this County, with a request that they be entered on its Records, and that a copy thereof be transmitted to the family of the deceased, with an assurance of our profound sympathy.

REMARKS OF CHIEF JUSTICE BIGELOW.**GENTLEMEN OF THE BAR :**

The Resolutions adopted by you embody a just and fitting tribute to the character of our lamented associate, to which it gives me a sorrowful satisfaction to respond in behalf of the Court.

From the time of my admission to the Bar, I knew Mr. Hubbard well. He was my senior by nearly ten years ; and when I began practice he was engaged in a large and lucrative professional business, in company with the late Mr. Watts. I can never forget, and it gives me great pleasure on this occasion to recall, the kind words of encouragement which I received from him at that period of my professional life, when such words were rare and most welcome. He did not receive a young associate with cold indifference. He was ready to extend towards him the right hand of fellowship, and to give him the aid of his friendly countenance and advice. This was perfectly in keeping with his character. Although his manners were somewhat reserved and dignified, so that at first they might seem to repel rather than to invite familiarity, he nevertheless had a warm and generous heart, and his quick sympathies, the con-

comitants of a sanguine temperament, were never withheld from those who had just claims upon his consideration and regard.

As a lawyer he was well instructed. He was a sagacious and prudent counsellor. In his early professional career, he was much engaged in the business of the Courts and in the trial of causes. In this department of the profession he was eminently successful, and if it had not been somewhat uncongenial with his tastes and habits, I do not doubt that he would have risen to distinction as an advocate. But he sought rather the more quiet walks of the profession, and gained his greatest success as a faithful adviser and in the conduct of that important branch of the business of our profession, which is not much seen of men.

I cannot omit on this occasion to notice his valuable services as an officer of this Court. For nearly thirty years he held the important office of a Master in Chancery for this County. During this long period, the most weighty cases pending on the equity side of this Court were committed to him. It is but a just tribute to the industry, fidelity and ability with which he discharged the duties of this office to say, that they could not have been surpassed. He was a good equity lawyer, possessed of a thorough knowledge of chancery practice, and familiar with the science of book-keeping—a rare but most important accomplishment for a lawyer. These qualities enabled him to perform the duties of the office in such manner, that his reports were

models of accuracy and clearness, He was in the truest sense within this sphere of duty "the eye and ear of the Court" and we shall most sensibly feel his loss.

I scarcely need to say, for it was known to all of you, that Mr. Hubbard, to the other virtues and graces, which adorned his character, added those of a sincere and devout Christian. Early in life, he made public profession of his faith. Amid all the duties and trials with which his path was crowded, he never forgot the rules and principles by which his Master walked. He was ever a firm, consistent, faithful disciple.

As we are from time to time reminded by those lost links in our professional circle of the brevity and uncertainty of life, and are made to realize "what shadows we are and what shadows we pursue," it behooves us to be diligent in making preparation for the life that is to come, so that, like our deceased brother, when our appointed hour shall arrive, we may be able to say with him, "*I have put my trust in God.*"



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